

EV372459151

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Priority International Application Serial No. .... PCT/JP02/08389  
Priority International Filing Date ..... 20 August 2002 (20.08.02)  
Earliest Priority Date ..... 29 January 2002 (29.01.02)  
Inventor ..... Sadao Omata  
Group Art Unit ..... Unknown  
Examiner ..... Unknown  
Attorney's Docket No. .... IS14-002  
Title: Elasticity Measuring Device for Biological Tissue

CLAIMING SMALL ENTITY STATUS

To: Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

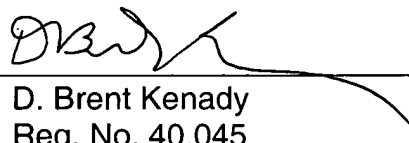
From: D. Brent Kenady  
Tel. 509-624-4276; Fax 509-838-3424  
Wells St. John P.S.  
601 W. First Avenue, Suite 1300  
Spokane, WA 99201-3828

Sir:

Applicant NIHON University claims Small Entity Status.

Respectfully submitted,

Dated: 7-21-04

By:   
D. Brent Kenady  
Reg. No. 40,045

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

IS14-002

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/502240

INTERNATIONAL APPLICATION NO.  
PCT/JP02/08389INTERNATIONAL FILING DATE  
20 August 02 (20.08.02)PRIORITY DATE CLAIMED  
29 Jan. 02 (29.01.02)

TITLE OF INVENTION

ELASTICITY MEASURING DEVICE FOR BIOLOGICAL TISSUE

APPLICANT(S) FOR DO/EO/US

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). and a Designation of Attorneys.
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter. which is included in the Declaration.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Postcard; 5 sheets of Drawings (Figs. 1-6); Notification of Transmittal of the International Search Report; Search Report; Written Opinion; and International Preliminary Examination Report. Claiming Small Entity Status.

U.S. APPLICATION NO. <b>10/502240</b> INTERNATIONAL APPLICATION NO. <b>PCT/JP02/08389</b>		ATTORNEY'S DOCKET NUMBER <b>IS14-002</b>																										
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... <b>\$1080.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>CALCULATIONS PTO USE ONLY</b>																										
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	920.00																									
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;">\$</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>8 - 20 =</td> <td>0</td> <td>x \$18.00</td> <td>\$ 0</td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td>0</td> <td>x \$86.00</td> <td>\$ 0</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$290.00</td> <td>\$ 290.00</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ 1,210.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	8 - 20 =	0	x \$18.00	\$ 0	Independent claims	2 - 3 =	0	x \$86.00	\$ 0	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$ 290.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,210.00	\$	0
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<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$	605.00																									
<b>SUBTOTAL =</b>		\$	605.00																									
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$																										
<b>TOTAL NATIONAL FEE =</b>		\$	605.00																									
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +		\$	40.00																									
<b>TOTAL FEES ENCLOSED =</b>		\$	645.00																									
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:80%;"></td> <td style="width:20%; text-align: center;">Amount to be refunded:</td> <td style="width:10%; text-align: center;">\$</td> </tr> <tr> <td></td> <td style="text-align: center;">charged:</td> <td style="text-align: center;">\$</td> </tr> </table>			Amount to be refunded:	\$		charged:	\$																					
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a. ☒ A check in the amount of \$ 645.00 to cover the above fees is enclosed.


b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
 overpayment to Deposit Account No. 23-0925. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
 information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)  
 or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

  
 SIGNATURE  
 D. Brent Kenady  
 NAME  
 40,045  
 REGISTRATION NUMBER